

ADVISORY

FROM THE COMMISSIONER OF HEALTH & MENTAL HYGIENE OF THE CITY OF NEW YORK

WHEREAS, on March 25, 2020, the New York City Commissioner of Health and Mental Hygiene (the “Department”) declared the existence of a public health emergency within the City to address the continuing threat posed by COVID-19 to the health and welfare of City residents, and such declaration and public health emergency continue to be in effect; and

WHEREAS, on November 26, 2021, the World Health Organization (“WHO”) declared the COVID B.1.1.529 variant, named Omicron, a variant of concern because it has a large number of mutations and evidence suggests an increased risk of reinfection and spread across the world, including to the United States and more transmissible subvariants of Omicron are currently circulating in NYC leading to increases in transmission; and

WHEREAS, on May 16, 2022 New York City is approaching “high” level of COVID-19 alert which represents high community spread and increasing pressure on the health care system. This is on the basis of three CDC COVID-19 community level indicators: new cases per 100,000 people in the last seven days, new admissions with COVID-19 per 100,000 people in the last seven days and percent of inpatient beds occupied by COVID-19 patients.

WHEREAS, COVID-19 infection is transmitted predominately by inhalation of respiratory droplets and particles, and studies show that face masks block the release of respiratory droplets into the environment and can also reduce the wearer’s exposure to droplets from others because COVID-19 viral particles spread between people more readily indoors and when people are closer together for longer periods of time indoors; and

WHEREAS, the WHO and the U.S. Centers for Disease Control and Prevention have advised all individuals to take measures to reduce their risk of COVID-19, especially the Delta and Omicron variants and subvariants, including proven public health and social measures such as wearing well-fitting masks, hand hygiene, physical distancing, improving ventilation of indoor spaces, avoiding crowded spaces, and getting vaccinated; and

WHEREAS, face masks are required on public transportation and in health care and congregate settings in New York State; and

THEREFORE, YOU ARE HEREBY PROVIDED NOTICE THAT:

1. All individuals, regardless of vaccination status or past COVID-19 infection, should wear a mask at all times when indoors and in a public setting, including at groceries, building lobbies, offices, stores, and other common or shared spaces where individuals may interact such as restrooms, hallways, elevators, and meeting rooms. This is particularly important in settings with people who may not be vaccinated or consistently wear masks, or where ventilation is poor. This advisory applies to all individuals in New York City over the age of two years who can medically tolerate wearing a mask.
2. All masks should cover the nose and the mouth and rest snugly above the nose, below the mouth, and on the sides of the face. Higher-quality masks, such as KN95 and KF94 masks and N95 respirators, can offer an additional layer of protection. Wearing a cloth mask over a disposable

mask and knotting the ear loops to tighten masks are additional techniques to improve fit and protection.

3. Those who are at high risk of severe illness, are over 65, or are unvaccinated including children under the age of five who are not yet eligible for the COVID-19 vaccine should take additional precautions. These groups are at increased risk of hospitalization, severe illness, and possible long-term complications, and should always wear a mask in public indoor settings and crowded outdoor settings. Avoid crowded settings and non-essential gatherings, particularly if indoors.
4. In addition, the impact of COVID-19 transmission is higher in settings with a high number of unvaccinated people; these include childcare facilities given that children under the age of five are not yet eligible for the COVID-19 vaccine. Even though COVID-19 is generally less dangerous for children, it can result in hospitalization, as well as Multisystem Inflammatory Syndrome in Children (MIS-C), long COVID, and possibly other long-term complications—which can occur even with only mild infection, including in children.
5. The mask advisory does not apply in cases where an individual is actively performing an activity that cannot be done while wearing a face mask such as actively eating or drinking; is practicing or playing a competitive sport in the New York City Public School Athletic League or on a professional level; or is performing, including but not limited to playing music, delivering a speech to an audience seated at least six feet away, and acting in a theater.